



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF MASSAGE AND BODYWORK

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PUBLIC MEETING MINUTES:	Board of Massage and Bodywork
MEETING DATE AND TIME:	Thursday, January 19, 2017 at 1:30 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor Cannon Building
MINUTES APPROVED:	APPROVED February 16, 2017

MEMBERS PRESENT

Sandra Jachimowski, Professional Member, President
Kathy Sherwin, Public Member
Frank Beebe, Public Member
Rachel Dunning, Public Member
Holly Overmyer, Professional Member, Vice President
Jermaine Cannon, Professional Member

MEMBERS ABSENT

Jermaine Cannon, Professional Member
Danielle DiFonzo, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Eileen Kelly, Deputy Attorney General
Melanie Alexander, Administrative Specialist II

OTHERS PRESENT

Sharon Gamble

CALL TO ORDER

Ms. Jachimowski called the meeting to order at 1:32 pm.

REVIEW OF MINUTES

The Board reviewed the minutes from the November 17, 2016 meeting. A motion was made by Mr. Beebe, seconded by Mr. Dunning, to approve the minutes as presented. The motion carried unanimously.

UNFINISHED BUSINESS

The Board reviewed the documents submitted by Bryan Thornton in regards to complying with the disciplinary order signed on November 17, 2016. Included in the documents showing how he complied with the order was a letter, requesting extra time to comply before finding him in violation of the order, if the Board does not accept the letters confirming his compliance. After reviewing and

discussing the letters and his request, the Board granted Mr. Thornton a 2 week extension from the date of notification of the decision.

NEW BUSINESS

Ratification of Massage Technician Certifications

A motion was made by Ms. Dunning, seconded by Ms. Overmyer, to approve the ratification of the Massage Technician applications of: Michael P. Tillinghast, Brianna M. Norvell, Carolyn Stewart, Jeanine C. Jones, Cherelle D. Cheers, Danielle C. Hilton, Aaron S.K. Norris, Yali Liu, James Walls, Jessica L. Ortiz, Samantha C. Horne, and Chelsea M. Sheppard. The motion carried unanimously.

Ratification of License Massage Therapists

A motion was made by Ms. Dunning, seconded by Ms. Overmyer, to approve the ratification of the Massage Therapist application of: Luis E. Henriquez, Christine M. Beamer, Nathan Lee Metz, Shunji Piao, Alana M. Carver, George E. Spicer, and Jaime L. Naylor. The motion carried unanimously.

Continuing Education

A motion was made by Ms. Dunning, seconded by Ms. Sherwin, to approve the Continuing Education requests submitted as stated below. The motion carried unanimously.

1. Laura LaFazia- Del Tech Community College- A&P I and BIO 120- 18 hrs Core- **Approved**

Application(s) for DAG Review

None

Review & Consideration of Hearing Officer Recommendations

A motion was made by Ms. Dunning, seconded by Ms. Overmyer, to accept the recommendation of Gilda Bynum as written. The motion carried unanimously.

Review & Discussion of Consent Agreements

A motion was made by Ms. Sherwin, seconded by Ms. Dunning, to approve the consent agreement for April Lynn Sarver. The motion carried unanimously.

Review & Signing of Final Orders

Ms. Jachimowski signed the decision and order for Michele Pine.

Ms. Jachimowski signed the decision and order for Dakota Jankovic.

Ms. Jachimowski signed the final order for Jennifer Techentine, case numbers 20-07-15.

Ms. Jachimowski signed the final order for YuanLi Zhang, case numbers 20-08-15.

Miscellaneous Review & Discussion

Mr. Mangler spoke to the Board about House Bill #35, he stated that it was introduced on January 12, 2017 and he stated the added cost this Bill will require, should not be a burden placed upon the law abiding licensees. He also stated that the reason behind the Bill is to put in place a means of disciplining establishments that operate in illegal manners. The Board will need to work on creating the Regulations needed that will clarify the specifics this Bill outlines. The Board will have 180 days from the date the Bill is signed to have implement the statute requirements. Mr. Mangler also advised the Board that they will be responsible for creating the Public Health Sanitation Regulations as well.

The Board voiced concerns of their own as well as those from fellow licensees who came to them with concerns of their own. Mr. Mangler addressed their concerns which were discussed in detail. Mr. Mangler explained that when the Board is creating the Regulations for House Bill #35, that is the time they can address such issues, and create regulations that are appropriate, and they can discuss the possibility of granting waivers, as a way to alleviate some of the more specific concerns.

Ms. Alexander advised the Board that she has been in contact with FSMTB and they are aware of House Bill #35 and they stated they were very impressed with it so far. She advised the Board that she will ask if they can provide a list of states with similar statutes, so the Board can see the corresponding regulations for each of those states, to assist in the process creating the new regulations. The Board agreed that would be useful information. The Board will further discuss House Bill #35's regulation updates at the next meeting.

Ms. Alexander provided the Board with information from FSMTB about them updating their education policy. The new policy goes into effect July 1, 2017 and it will require candidates seeking to take the MBLEx exam to substantiate enrollment in or having received their education from a massage therapy education program that is approved or recognized by the state board or agency authorized to regulate massage therapy in the state in which the school is located. In the event the massage therapy board/agency does not approve or recognize education programs, approval or recognition from the relevant state department of education or like agency, in the state in which the school is located, shall apply. In the event of a conflict between the state board/agency and department of education, the approval or recognition of the massage therapy board/agency shall prevail. Ms. Davis stated that their new policy coincides with the Boards added definition to the regulations for a "school or approved program", which means it has been approved by the Delaware Department of Education or the Board of Education, or its equivalent, in the state where the school is located.

A motion was made by Ms. Jachimowski, seconded by Ms. Sherwin, to approve the election of Jermaine Cannon as the Board President (1st term). The motion carried unanimously.

A motion was made by Ms. Dunning, seconded by Ms. Overmyer, to approve the election of Danielle DiFonzo as the Vice President (1st term). The motion carried unanimously.

A motion was made by Ms. Jachimowski, seconded by Ms. Overmyer, to approve the election of Kathy Sherwin as the Secretary- (1st term). The motion carried unanimously.

CORRESPONDENCE

The Board advised that there are no regulations with the massage profession in regards to ear candling, or ion foot bath/cleansing. They advise Nancy Schlott to contact public health to verify if they currently have any regulations regarding both services. Ms. Alexander stated she will also check with the Board of Cosmetology and Barbering before providing Ms. Schlott with a definitive answer.

OTHER BUSINESS (for discussion only)

None

PUBLIC COMMENT

Sharon Gamble said that she was going to ask about House Bill #35, however Mr. Mangler covered everything she wanted to know about it.

NEXT SCHEDULED MEETING

The next meeting is scheduled for February 16, 2017 at 1:30 p.m.

ADJOURNMENT

There being no further business before the Board, a motion was made by Mr. Beebe, seconded by Ms. Overmyer to adjourn the meeting. The motion carried unanimously. The meeting went off record and adjourned at 3:04 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Melanie Alexander".

Melanie Alexander
Administrative Specialist II